



# ABC NEWSLETTER

## WINE SHIPMENTS TO CONSUMERS

Our office has received many inquiries concerning the recent ruling by U.S. District Judge Charles Simpson affecting shipments of wine in and out of Kentucky to consumers. ABC is in the process of reviewing the implications of the decision. In the meantime it should be noted that as of the date of this writing the time for taking an appeal from the decision has not run and the decision is not yet final. Finally, please remember that the decision does not change Kentucky's prohibition against alcohol sales in dry territories and sales to minors. Updates on this issue will be posted on our website.

## COMPLIANCE CHECKS REACH RECORD NUMBERS

The ABC Enforcement Division has completed 1,252 Compliance Checks (random checks of retail locations to make certain there are no sales to minors occurring) for the first eight months of 2006, with a compliance rate by retailers of 79.4%. The record number of checks surpasses the previous high of 1,149 which were completed during 2004. The increase in the number is largely due to an greater emphasis being placed on the prevention of underage drinking by the ABC.

## RECERTIFICATION FOR STAR PROGRAM

Persons attending the STAR program are certified for a period of three (3) years upon successful completion of the class. As the STAR program has been in existence for over three (3) years, we have implemented a recertification program to enable servers and sellers the opportunity to renew their STAR certification in an abbreviated fashion. Upon completion of the Laws in Brief and false I.D. sections, attendees will be allowed to take the exam. A passing score is required for re-certification. This certification will be valid for an additional (3) years.

## WHAT SHOULD LICENSEES DO WITH FRAUDULENT I D'S?

When a minor presents any form of identification as his own which is false, fraudulent, or altered, the minor has committed a crime. See, KRS 244.085(4) and (5) and KRS 244.990. Since licensees have no authority to cite or arrest the minor, they should immediately contact local law enforcement whenever a minor commits the crime of presenting a false identification. This practice will demonstrate that the licensee is serious about keeping minors off the premises and the ABC Board may favorably consider such mitigating efforts in any subsequent disciplinary action. Further, since false identifications are criminal evidence, licensees are advised not to retain and accumulate them. Instead, licensees are advised to temporarily hold the false ID and surrender it to the contacted law enforcement officers upon their arrival. If the suspected minor becomes belligerent and demands the return of the ID, the employee should copy identifying information down and then return the ID. The copied information should then be provided to the police when they arrive with an explanation as to what occurred. If local law enforcement do not arrive, a written report should be completed.

## LICENSE TRANSFERS AND THE TRANSITIONAL LICENSE

Everyone agrees that the new transitional license issued when a business is being sold before the permanent license is issued is a good thing. However, please remember that the transitional license is not automatically issued. Before a transitional license can be issued you must:

1. Advertise your intentions to apply for these licenses in the newspaper.
2. File an application and pay the fee for a permanent license with the local ABC Office.
3. File an application and pay the fee for a permanent license with the State ABC Office.
4. File a Transitional application with the State ABC and pay a Transitional fee of \$50 for beer only or \$100 for liquor and beer.
5. Have a completed background check done by the State ABC Office.

Transitional application forms and instructions may be obtained from our Frankfort ABC Office or on our ABC Web site at [www.http://abc.ky.gov/](http://abc.ky.gov/)

## UPCOMING S.T.A.R. TRAINING DATES

S.T.A.R. (Server Training in Alcohol Regulations) classes educate the industry on responsible sales and service, individual liabilities and fake identifications, as well as Kentucky statutes and Kentucky Administrative Regulations.

### SEPTEMBER 2006

24	(1-5:30)	Lexington - Ramada Inn @ Paris Pike
25	(9-1:30)	Morganfield - Museum & Art Center
26	(9-1:30)	Florence - Florence Municipal Building
28	(5:30-9:30)	Louisville - Middletown Government Center

### OCTOBER 2006

2	(9-1:30)	Danville - City Hall
3	(9-1:30)	Prestonsburg - Jenny Wiley State Resort Park
7	(10-2:30P)	Lexington - Ramada Inn @ Paris Pike
9	(5P-9:30)	Owensboro - Cigar Factory Mall
10	(9-1:30)	Louisville - Middletown Government Center
16	(9-1:30)	Lexington - Ramada Inn @ Paris Pike
17	(9-1:30)	Paducah - City Hall
18	(9-1:30)	Ashland - Firehouse
23	(9-1:30)	Corbin - TBA

**OCTOBER 2006**

26 (5-9:30) Louisville - Middletown Gov. Ctr.  
29 (1-5:30) Lexington - Ramada @ Paris Pike  
30 (9-1:30) Hopkinsville - Public Works Bldg.  
31 (9-1:30) Florence - Florence Gov. Ctr.

**NOVEMBER 2006**

2 (9-1:30) Mayfield - City Hall  
4 (10-2:30) Lexington - Ramada @ Paris Pike  
6 (9-1:30) Louisville - Middletown Gov. Ctr.  
8 (5:30-9:30) Lexington - TBA  
13 (9-1:30) Lexington - Ramada @ Paris Pike  
13 (9-1:30) Owensboro - Cigar Factory Mall  
14 (9-1:30) Hazard - KY River ADD  
16 (9-1:30) Central City - City Hall

**NOVEMBER 2006 cont'd**

28 (9-1:30) Elizabethtown - Pritchard Comm. Ctr.  
28 (9-1:30) Florence - Florence Gov. Ctr.

**DECEMBER 2006**

2 (10-2:30) Lexington - Ramada @ Paris Pike  
4 (5-9:30) Louisville - Middletown Gov. Ctr.  
5 (9-1:30) Prestonsburg - Jenny Wiley SRP  
6 (5:30-9:30) Lexington - TBA  
11 (5-9:30P) Owensboro - Cigar Factory Mall  
12 (9-1:30) Lexington - Ramada @ Paris Pike  
14 (9-1:30) Paducah - KY Dam Village SRP  
18 (9-1:30) Frankfort - ABC Office  
19 (9-1:30) Louisville - Middletown Gov. Ctr.  
19 (9-1:30) Florence - Florence Gov. Ctr.

To register for an upcoming class, include payment in the form of a check or money order for \$35 per person made payable to the KY State Treasurer and mailed to the below address. No Cash accepted.

CLASSES MAY BE CANCELLED PRIOR TO THE SCHEDULED DATE IF NOT FILLED  
**PRE-PAYMENT REQUIRED** FOR ADMITTANCE /REGISTRATION FEE IS NONREFUNDABLE  
UNLESS CLASS IS CANCELLED OR RESCHEDULED

OFFICE USE

COMMONWEALTH OF KENTUCKY  
OFFICE OF ALCOHOLIC BEVERAGE CONTROL  
1003 Twilight Trail, ATTN: Education  
Frankfort, Kentucky 40601-8400  
502/564-4850 (Telephone)

☐ INDIVIDUAL

☐ GROUP

NAME		DATE OF BIRTH	
ADDRESS		BOARD ORDERED	YES NO
CITY		ZIP	
PERSONAL PHONE #		BUSINESS PHONE #	
EMPLOYER			
SESSION DATE & TIME REQUESTED			
SPECIAL NEEDS? (i.e., HANDICAP ACCESS)			